

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE: **JOSE MIGUEL DE JESUS MIRANDA**

CASE NO. _____

CHAPTER 13

DEBTOR(S) _____

CHAPTER 13 PAYMENT PLAN

NOTICE: • The following plan contains provisions which may significantly affect your rights. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing, filed with the Court and served upon the debtor(s), debtors' counsel, the trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. • For post confirmation Plan Modifications, objections must be filed and notified in the same manner within forty (40) days from its notification. • A proof of claim must be filed by or on behalf of each creditor, including secured creditors, in order for the creditor to be eligible to be paid by the trustee. The Trustee will pay the allowed claims, as filed, provided for in the plan unless disallowed or expressly modified by the terms of this plan, or by subsequent Court order. If no claim is filed the trustee will not pay a creditor provided in the plan unless ordered by the Court. See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution. •

1. Future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee. The Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULED.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE SEQUENCE.
- ☐ 3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: February 17, 2010

☐ **AMENDED PLAN DATED:** _____

☒ PRE ☐ POST-CONFIRMATION

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

\$	1,010	x	60	=	60,600
\$		x		=	0
\$		x		=	0
\$		x		=	0
\$		x		=	0
\$		x		=	0
TOTAL =					60 \$ 60,600

Additional Payments:
\$ 13,000 to be paid as a LUMP SUM
within 60 mos from filing with proceeds to come from

☐ Sale of property identified as follows:

☒ Other: Funds consigned in Superior Court San Juan plus interest accrued over this principal amount.
Contingent upon Court determination.

Periodic Payments to be made other than and in addition to the above.

\$ _____ x _____ = \$ 0

To be made: _____

PLAN BASE: \$ 73,600

II. ATTORNEY'S FEES

(Treated as § 507 Priorities)

I. To be paid before any other creditor and concurrently with the Trustee's fee unless otherwise provided.

- a. Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,500
- b. Additional Fees: \$ _____
- c. Adjusted Balance \$ 2,500

Signed: 
DEBTOR JOSE MIGUEL DE JESUS MIF

JOINT DEBTOR _____

III. DISBURSEMENT SCHEDULE SEQUENCE

A. SECURED CLAIMS:

☐ Debtor represents that there are no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

[1] ADEQUATE PROTECTION PAYMENT CR _____ \$ _____

[2] Trustee pays secured ARREARS:

Cr. Wells Fargo	Cr. _____
Acct. See below	Acct. _____
\$ _____	\$ _____

[3] Trustee pays IN FULL Secured Claim(s):

Cr. _____	Cr. _____	Cr. _____
Acct. _____	Acct. _____	Acct. _____

[4] Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
Acct. _____	Acct. _____	Acct. _____
\$ _____	\$ _____	\$ _____

☐ Secured creditor(s) interest will be insured and insurance policy pay through plan:

Cr.: _____	Ins.Co.: _____	Premium: \$ _____
Cr.: _____	Ins.Co.: _____	Premium: \$ _____

(Please indicate in "Other Provisions" the comprised insurance coverage period.)

☒ Debtor SURRENDERS COLLATERAL TO Lien Holder:

Toyota Financial Services (Automobile)

☐ Debtor Otherwise will maintain regular payments directly to:

See below.

B. PRIORITIES. The Trustee shall pay priorities in accordance with the law.

[5] [11 U.S.C. § 507 and § 1322 (a)(2)] ASUME and Juan M. de Jesus Hernandez

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify Claims.

[6] Class **A**: ☐ Co-debtor Claims / ☐ Paid 100% ☐ "Pay Ahead":

[7] Class **B**: ☐ Other Class:

<input type="checkbox"/> Cr. _____	<input type="checkbox"/> Cr. _____	<input type="checkbox"/> Cr. _____
Acct. _____	Acct. _____	Acct. _____
\$ _____	\$ _____	\$ _____

D. GEN. UNSECURED NOT PREFERRED will receive PRO-RATA disbursements. ☐

OTHER PROVISIONS:

See attachment.

ATTORNEY FOR DEBTOR:

Herman F. Valentin & Associates

Phone: (787) 200-5426

Attachment to Chapter 13 Plan
Dated February 17, 2010

III. A (2)

Debtor represents no arrears to Wells Fargo Home Mortgage; however, if any fees or charges are claimed by this creditor they are to be paid by the Trustee. Debtor and spouse are under a pre-nuptial agreement calling for complete separation of assets. Current monthly payments are being made directly to creditor by Debtor's spouse.

III. A (4)

The collateral to be surrendered to Toyota Financial Services is currently under Debtor's brother's custody in Florida.

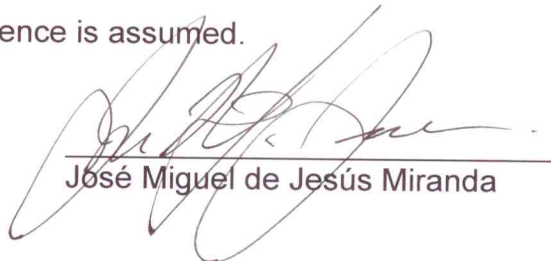
III. B

Debtor will make direct post-petition domestic support obligation payments to ASUME and Juan M. de Jesus Hernández who is of legal age.

Other Provisions:

Lease agreement over current residence is assumed.

Date: _____



José Miguel de Jesús Miranda